

## DEPARTMENT OF FINANCE BILL ANALYSIS

**AMENDMENT DATE:** 08/06/2012  
**POSITION:** Neutral, note concerns  
**SPONSOR:** Child Welfare Directors Association

**BILL NUMBER:** AB 1712  
**AUTHOR:** Beall, Jim

### **BILL SUMMARY:** Minors and nonminor dependents: out-of-home placement.

This bill would make numerous technical, clarifying, and federal conformity changes to administer the provisions of Chapter 559, Statutes of 2010 (AB 12) and Chapter 459, Statutes of 2011 (AB 212). Most notably, this bill would: (1) clarify various court procedures for nonminor dependents and tribal placements; (2) redefine "relative" as it relates to the Kinship Guardianship Assistance Payment (Kin-GAP) program to include a non-related legal guardian (NRLG); (3) provide a mechanism for counties to receive federal financial participation (FFP) for prospective NRLG placements by including them in the federal Kin-GAP program; (4) specify NRLG placements in the federal Kin-GAP program made prior to a youth's 16th birthday would be eligible to receive extended foster care benefits under AB 12; and (5) clarify the process for nonminor adoptions.

### **FISCAL SUMMARY**

This bill's provisions could result in costs to counties to implement a process for tracking NRLG cases receiving federal Kin-GAP benefits until these youth reach the age of 18, at which time they could convert to state-only AB 12 extended foster care benefits. This would potentially create a state-reimbursable mandate. Conversely, given that NRLGs currently do not qualify for FFP, this bill could generate a savings by allowing counties to claim FFP for prospective NRLG placements under federal Kin-GAP. It is unclear whether the savings would fully offset the costs. Federal Kin-GAP costs were shifted to counties as part of 2011 Realignment.

This bill would result in additional workload to the Department of Social Services (DSS) to update regulations, establish an oversight tracking mechanism, and provide training and technical assistance related to the various provisions of this bill. The magnitude of these costs is unknown at this time.

### **COMMENTS**

The Department of Finance (Finance) is neutral, but notes the following concerns:

- This bill would result in an increased workload to DSS to update regulations and provide oversight, training, and technical assistance in implementing changes to the federal Kin-GAP program and NRLG placement claiming processes. To the extent DSS would not be able to absorb these costs within existing resources, Finance may alter its position.
- This bill would impose additional requirements on county child welfare agencies; under 2011 Realignment this would potentially create a state reimbursable mandate.
- This bill contains several chaptering issues with current law and other proposed bills including the recently enacted Child Welfare Services Realignment Legislation (Chapter 35, Statutes of 2012 [SB 1013]).

Analyst/Principal (0512) T.Calvert	Date	Program Budget Manager Ken DaRosa	Date
Department Deputy Director		Date	
Governor's Office:	By:	Date:	Position Approved _____ Position Disapproved _____
BILL ANALYSIS			Form DF-43 (Rev 03/95 Buff)

## AUTHOR

**AMENDMENT DATE**

**BILL NUMBER**Beall, Jim

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**COMMENTS** (continued)

Finance notes that some of this bill's provisions are necessary to implement AB 12 and AB 212, and understands future amendments will be made to the August 6, 2012 version that may address the concerns noted above.

AB 12 and AB 212 established a statutory framework based on changes in federal law to enable foster youth who reach the age of emancipation and who meet certain requirements to voluntarily remain in foster care placement up to age 21. These statutes allow the state to draw down FFP for certain youth previously receiving benefits under the state-only Kin-GAP program.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)					
	LA	(Dollars in Thousands)					
	CO	PROP					Fund
	RV	98	FC	2012-2013 FC	2013-2014 FC	2014-2015	Code
5180/Social Svcs	SO	No		----- See Fiscal Summary -----			0001
5196/St-LC 2011	SO	No		----- See Fiscal Summary -----			3171
<u>Fund Code</u>	<u>Title</u>						
0001	General Fund						
3171	Local Revenue Fund 2011						